

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
January 16, 2002**

The Board of Supervisors of Maricopa County, Arizona, convened in Formal Session at 9:00 a.m., January 16, 2002, in the Board of Supervisors' Auditorium, 205 West Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman; Fulton Brock, Vice Chairman; Andy Kunasek, Jan Brewer and Mary Rose Wilcox. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain)

**INVOCATION**

Mike Ellegood, Chief Engineer and General Manager of the Flood Control District, delivered the invocation.

**PLEDGE OF ALLEGIANCE**

Michelle Beasley, Clerk of the Board's Office, led the assemblage in the Pledge of Allegiance.

**POINT OF PERSONAL PRIVILEGE**

Supervisor Brock requested a point of personal privilege to introduce John McComish, President of the Ahwatukee Chamber of Commerce.

Chairman Stapley said, "the Board is always very pleased to have leaders of our business communities come down to observe and participate in our meetings."

**PROCLAMATION - MARICOPA COUNTY SCRATCH & SNIFF AWARDS DAY**

Chairman Stapley designated January 26, 2002, as "Maricopa County Scratch & Sniff Awards Day" and summarized portions of the "Maricopa County Scratch & Sniff Awards Day Resolution". He presented the proclamation to Jennifer Brooks who thanked the Board on behalf of Animal Services for the support they have given to that department. Supervisor Brock commented on the addition of the PetMobile in 2001 and the ways in which it facilitates the adoption process. He thanked those whose donations had made the purchase possible. (C7902050M) (ADM654)

**PROCLAMATION**

**Designation of January 26, 2002, as Maricopa County Scratch & Sniff Awards Day**

**WHEREAS**, Scratch & Sniff Awards works tirelessly to help end euthanasia as a means of controlling pet overpopulation and to strengthen the human/companion animal bond in Maricopa County, and

**WHEREAS**, Scratch & Sniff Awards supports Maricopa County Animal Care & Control's efforts to rescue homeless and unwanted dogs and cats; provide spay and neuter services to pets in need, and place pets in loving homes, and

**WHEREAS**, Scratch & Sniff Awards made it possible for Maricopa County Animal Care & Control to open the first municipal "no-kill" pet adoption center in the United States, equipped with the Jonathan Dreier Get-Acquainted Park and the Scratch & Sniff Dog Obedience and Agility training field, which helped Animal Care & Control place over 20,900 pets into loving homes in 2001 and decrease our communities pet euthanasia rate by 50%, and

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**WHEREAS**, Scratch & Sniff Awards has made it possible for Maricopa County to obtain the Scratch & Sniff Petmobile which enables Anima Care & Control to take adoptable pets into every community in Maricopa County, and

**WHEREAS**, Scratch & Sniff Awards continues to help Maricopa County Animal Care & Control end the senseless euthanasia of healthy, adoptable pets through generous grants, and

**WHEREAS**, Scratch & Sniff Awards has selected Maricopa County Animal Care & Control for the third year in a row to be a major grant recipient.

**NOW, THEREFORE, BE IT RESOLVED** by the Maricopa County Board of Supervisors that January 26, 2002 is designated "Maricopa County Scratch & Sniff Awards Day" in recognition of the Scratch & Sniff Awards' efforts to end euthanasia as a means of controlling pet overpopulation, and their efforts to strengthen the human/companion animal bond.

**FIREWORKS DISPLAY APPLICATION**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the application filed by Robert Bland for a Fireworks Display Permit: (This application continued from the meeting of January 3, 2002.) (ADM665-31)

Business Name:	Phoenix Country Club
Location:	2901 North 7 <sup>th</sup> Street, Phoenix
Date:	Friday, February 1, 2002

**PUBLIC HEARING - SUPERIOR COURT ADMINISTRATION**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve, authorize, or amend the following fees, to be effective February 1, 2002. There are impacts on the County's expenditure limit as a result of the approval of these items, however, the court has the flexibility within its existing special revenue budget to cover the increases in expenditures. These hearings are pursuant to a request from the Presiding Judge of the Superior Court of Arizona in Maricopa County, and authority for the requests is based on A.R.S. §11-251.08 and State of Arizona Attorney General Opinion I95-18 (R94-63).

- a) **Case management fee from \$10 to \$30.** This recommended fee reflects a recognition that the actual cost of processing each case filed and related documents far exceeds the \$10 fee previously established. Although the recommended \$30 fee does not capture all actual costs incurred for management of each case and related documents filed, it better reflects the actual cost of the services provided. The fee is assessed upon the filing of the initial complaint and answer/response in all civil, domestic relations, probate, and tax cases and is deposited by the Clerk of the Court in a special revenue fund with the Maricopa County Treasurer for disbursement by the Presiding Judge. Monies collected in the fund are needed to enhance all aspects of case and document management systems including information, alternative dispute resolution, calendaring, noticing, and scheduling systems; to shift approximately \$67,000 in salaries from the General Fund to the Case Management Fund; to meet staffing needs in Family Court, such as hearing officers and case flow managers; to obtain technical expertise; to train judicial officers and staff in efficient case management; and

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to obtain consultants and implement recommendations. There is no impact on the County's expenditure limit as a result of the approval of this item. However, the court has the flexibility within its existing special revenue budget to cover the increase in expenditures. (C38020127) (ADM1005)

- b) **Self-service Center's Forms & Instructions Production Fee to be \$2.00 per process step**, which includes the forms and instructions to complete that step. The increased fee, which will offset the production costs, will continue to be deposited by Court staff in a special revenue fund with the Maricopa County Treasurer. There is an impact on the County's expenditure limit as a result of the approval of this item. However, the court has the flexibility within its existing special revenue budget to cover the increase in expenditures. (C38020137) (ADM1005)

**ROAD DECLARED (ROAD FILE NO. A124-R)**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) that the following resolution be adopted: (C6401352B01) (F22930)

**WHEREAS**, pursuant to A.R.S. §18-201 through 18-203, on the 19<sup>th</sup> day of December, 2001, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

A roadway, together with all appurtenances and easements of record, lying within Northeast quarter of (NE ¼) of Section 24, Township Two (2) South, Range Six (6) East, and within "Brooks Farms", a subdivision of the Southeast quarter (SE ¼) of said Section 24, Township Two (2) South, Range Six (6) East, recorded in Book 141, page 47, M.C.R., all in the Gila and Salt River Base and Meridian, Maricopa County, Arizona, said roadway is described as follows:

The South 25 feet of the Northeast quarter (NE ¼) of said Section 24; and Brooks Farms Road, as shown on said "Brooks Farms".

(Said roadway also known as Brooks Farms Road from 180<sup>th</sup> Street to Power Road in Supervisorial District No. 1.)

**WHEREAS**, the day and hour set by the Board for a public hearing on said petition has arrived, and notice of said hearing has been given to the public by advertising once a week for two consecutive weeks in the Arizona Business Gazette; and

**WHEREAS**, no objections to the establishment, opening and declaration of said highway have been filed; and

**WHEREAS**, the Board believes that the granting of said petition and the establishment, opening and declaration of the highway as prayed for in said petition, are for the best interests of Maricopa County, and said highway is a public necessity;

**NOW, THEREFORE, BE IT RESOLVED** that there is hereby established, opened and declared a county highway, more fully set forth hereinabove, and the County Engineer is hereby directed to make a plat of the

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survey of said highway and cause the same to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

**BE IT FURTHER RESOLVED** that the Board accept any right-of-way or property donated to the State or County for said highway. The Board hereby accepts all U. S. Patent easement reservations, right-of-way or properties along this alignment into the Department of Transportation's Highway system.

**BE IT FURTHER RESOLVED** that the County Engineer be directed and authorized, and he is hereby so directed and authorized, to negotiate with owners of parcels of private property required for the right-of-way of said public highway with the view of obtaining for Maricopa County said private property, subject to the ratification and approval of this Board.

**BE IT FURTHER RESOLVED** that the County Attorney be directed and authorized, and he is hereby directed and authorized, to initiate and prosecute actions and proceedings in the manner required by law to condemn all property required for right-of-way which cannot be obtained by donation or purchase.

**DATED** this 16<sup>th</sup> day of January 2002.

**LIFE SAFETY RETROFIT TO APPEALS DIVISION SPACE**

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve a life safety retrofit to the County Attorney Appeals Division space on the 2nd floor of the 301 West Jefferson building, in accordance with Budget Administrative Memo No. 7. The cost of construction is \$15,000 and will be paid from Fill The Gap Funds. (C19020348) (ADM400)

**BUDGET TRANSFER**

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve a budget transfer not-to-exceed \$88,582 for FY 2001-2002 and not-to-exceed \$142,583 for FY 2002-2003 from Superior Court general fund operating expenditures to the Clerk of the Superior Court general fund personal services budget to fund special work assignment salary increases for 31 courtroom clerk positions assigned the duties and responsibilities for the electronic recording of the official court record in lieu of court reporters. (C16020038) (ADM1000)

**WAIVER OF MARICOPA COUNTY COMPENSATION PLAN, SECTION VI.A.**

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve a waiver of the Maricopa County Compensation Plan, Section VI.A., to allow retroactive salary advancements, effective December 10, 2001, to January 18, 2002, (240 hours) for the following Clerk of the Superior Court personnel:

Alma Cano from \$9.49 to \$9.77; \$67.20  
Elisa Canas from \$13.40 to \$13.60; \$48.00

In November 2001, performance increases were submitted for departmental personnel to be effective December 10, 2001. Due to clerical errors, the increases for Alma Cano and Elisa Canas were incorrectly input. (C16020058) (ADM3308)

**COURT APPOINTMENTS FOR MENTAL HEALTH HEARINGS BEFORE THE PSYCHIATRIC SECURITY REVIEW BOARD**

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Item: Advise the Presiding Judge of the Superior Court that the public defender (primarily the Public Defender's Office, but any of the Maricopa County offices of indigent representation, as necessary) is authorized to accept appointments by the Court for mental health hearings to be held before the Psychiatric Security Review Board. There is no budgetary impact to this action as the Public Defender's Office has agreed to continue absorbing this workload and related costs. (C20020040) (ADM500)

Judge Thomas O'Toole, Presiding Judge of the Criminal Division of the Superior Court, spoke in favor of this authorization saying that it would not only facilitate the process but also would be a financially prudent act of government. The Public Defender's Office has been representing indigents in mental health hearings and absorbing the related costs but until recent legislation was passed they assumed this task without authorization. Judge O'Toole asked the Board to authorize their representation of these patients. The Public Defender's Office would continue to absorb this workload and its related costs.

Motion was made by Supervisor Brewer, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the Public Defender's Office and other County offices of indigent representation to accept court appointments for such hearings.

**REJECT CLAIM DEMANDS**

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to reject claim demands for December 2001, for emergency medical services from private medical providers to patients who do not meet the requirements of Arizona Revised Statutes or Maricopa County Policies and are, therefore, not the responsibility of Maricopa County pursuant to A.R.S. §11-629 (not a proper charge against the County) and A.R.S §11-622 (claims not having been filed within six-months after the last item of the account accrues). (ARS §11-629 \$3,309,770.45 and ARS §11-622 \$162,947.19) (C39020107) (ADM1804)

**Monthly Summary Report  
December 2001**

<b>Vendor</b>	<b>Amb., Doctors, Hosp. Ars 11-629</b>	<b>Over Six Months Ars 11-622</b>
Advanced Surgical Associates	0.00	290.00
Affiliated Southwest Surgeon	1,300.00	0.00
Air Evac Services, Inc	3,236.70	0.00
American Heart Center	2,874.82	0.00
American Physicians Inc.	0.00	414.09
Anatomic Pathology Assoc.	470.00	0.00
Arizona Anesthesia Consultants	910.00	910.00
Arizona Medical Imaging	1,278.00	0.00
Arizona Pulmonary Specialist	4,676.00	0.00
Arizona Pulmonary Specialists	386.00	0.00
Arrowhead Community Hospital	11,668.00	0.00
Associated Radiologists, Ltd	2,552.00	31.00
Az Digestive Health & Nutrition	880.00	0.00
Barefoot Drs Healthcare	930.00	0.00
Barrow Neurology Clinics	298.20	0.00
Biltmore Ear, Nose & Throat	100.00	0.00
Canyon State Anesthesiologists	900.00	0.00
Central Arizona Urologists	270.00	0.00

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Chandler Regional Hospital	109,962.87	0.00
Child, David L. Md Pc	300.00	0.00
City Of Phoenix Ambulance	2,633.36	0.00
Clark, Robert J. Md Pc	350.00	0.00
Classic Air Ambulance	6,961.30	0.00
Clinica Latina	3,417.00	0.00
Clinical Path Pathology	0.00	300.00
Cobre Valley Comm Hospital	240.00	0.00
Cortesi, Susan Md Pc	2,289.00	0.00
Del E. Webb Memorial Hospital	1,592.73	0.00
Derouin, Gael Do	2,549.00	0.00
Desert Canyon Med. Assoc., Llc	1,755.00	0.00
Desert General Surgeons, Ltd.	204.00	0.00
Desert Kidney Associates, Plc	240.00	0.00
Desert Mountain Consultants	840.00	0.00
Desert Pulm. Consult., Plc	235.00	0.00
Desert Sam Med Ctr	237,790.81	34,169.25
Emergency Assoc. Of Arizona	381.00	0.00
Fife, Terry D. Md	0.00	275.00
Flagstaff Medical Center	43,604.79	0.00
Forest, David W. Md	156.20	0.00
G & E Ltd	1,075.00	0.00
Giangobbe, Mitchell J. Md	4,316.00	0.00
Good Sam Reg Med Ctr	35,703.95	0.00
Good Samaritan Critical Care	1,361.00	0.00
Good Samaritan Reg Med Ctr	278,229.45	18,982.15
Good Samaritan Toxicology	3,990.00	3,580.00
Gsrmc-Academic Surgical Servi	1,535.00	0.00
Harding, Richard J. Md	970.00	0.00
Heartcare Pc	0.00	6,537.00
Honan, Vincent J. Md	8,051.65	0.00
Hospital Radiologists, Ltd	677.00	0.00
Husley, Bradley S. Md	600.00	0.00
Independent Surgeons Pc	3,000.00	0.00
Izenberg, Jeffrey S. Do	1,760.00	0.00
John C Lincoln Deer Valley	7,842.16	0.00
Kahlon, Maninder S Md	1,160.00	0.00
Kidd, William H. Md Pc	825.00	0.00
Laboratory Corp Of America	0.00	149.00
Landan, Derek Md Pc	1,270.00	0.00
Little Arrow Anesthesia	780.00	0.00
Maricopa Health Systems	305,120.67	4,708.22
Maryvale Emergency Physicians	425.00	0.00
Maryvale Hospital Med Ctr	76,488.05	0.00
Mayo Clinic Arizona	1,460.00	0.00
Meernik, John Md	110.00	0.00
Mesa Emergency Sreviced Llc	823.00	0.00
Mesa General Hospital	4,084.50	0.00
Mesa Lutheran Hospital	315,177.71	15,722.60
Metro Anesthesia Consultants	3,430.00	0.00

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Metro Imaging Ltd. (Mesa)	219.00	0.00
Miller, James Do Pc	2,331.00	0.00
Mt. Graham Community Hospital	0.00	532.00
Myneni, Narendra Md	200.00	0.00
Navapache Reg. Med Center	1,849.53	0.00
Neurosurgical Associates	7,200.00	0.00
North Phoenix Heart Center	320.00	0.00
Northwest Valley Health Assoc	627.30	0.00
Ohmart, Rodney	118.00	0.00
Ophthalmology & Oculoplastic Su	0.00	375.00
Orthopaedic Trauma Alliance	3,565.90	0.00
Paradise Valley Hospital Pmb 466	0.00	51.51
Paradise Valley Hospital	385,297.88	0.00
Paseo Medical Specialists	190.00	0.00
Pathology Associates Ltd	453.00	75.00
Payson Regional Med Ctr	162.25	0.00
Phillip, Soman	58.00	0.00
Phoenix Baptist Hospital	269,942.20	0.00
Phoenix Childrens Hospital	38,326.62	0.00
Phoenix Emergency Group Inc	654.00	0.00
Phoenix Heart Center, Pc	1,403.00	0.00
Phoenix Medical Group Pc	513.00	0.00
Phoenix Memorial Hospital	151,584.66	0.00
Physicians Professional Corp	850.00	0.00
Porter, John C. Md	0.00	201.00
Price, Ronald L. Md	240.00	0.00
Professional Diagnostix	23.00	0.00
Professional Medical Transport	1,950.76	0.00
Progressive Medical Assoc, Pll	572.00	0.00
Pueblo Pediatrics Ltd	801.00	0.00
Pulmonary Associates, Pa	2,382.82	0.00
Raifte, John Jr	345.00	0.00
Rehabilitation Phy Of Az	211.00	0.00
Reyes, Vivian V. Md Pc	1,045.00	0.00
Rocky Mountain Hldgs, Llc	10,130.00	0.00
Rural Metro Corporation	486.94	543.72
Scottsdale Healthcare Fp	1,575.00	0.00
Scottsdale Healthcare Osborn	260,966.72	8,648.67
Scottsdale Healthcare Shea	76,672.01	0.00
Sharma, Kulbhushan K. Md	1,160.00	0.00
Sjh Trauma Billing	44,340.00	0.00
Smith, Shirley S. Md Pllc	660.00	0.00
Southern Arizona Anesthesia	1,380.00	0.00
Southwest Ambulance	86,064.59	842.13
Southwest Neuro-Imaging	1,005.00	0.00
Southwest Perfusion, Inc	360.66	0.00
St Josephs Hosp Arizona	163,014.38	52,809.51
St Luke's Behavioral Health	3,168.17	0.00
Sun City Imaging, Pc	0.00	196.00
Sun Health	399.00	0.00

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Sun Health Care Center	1,057.82	0.00
Sun State Cardiology Pc	2,520.00	0.00
Sun Valley Anesthesiologists	780.00	0.00
Sunrise Medical Management	245.00	140.00
Sw Desert Cardiology Pc	745.00	0.00
Thunderbird Sam Med Ctr	179,366.89	0.00
Trauma Physicians Billing	2,425.00	0.00
Valley Arthritis Associates	0.00	210.00
Valley Lutheran Hospital	78,088.37	10,164.34
Valley Physical Med And Rehab	170.00	0.00
Valley Radiologists Ltd.	3,612.00	1,830.00
Valley Surgical Clinics	2,860.00	0.00
Verde Valley Medical Ctr	1,607.00	0.00
W.O. Boswell Memorial Hospital	1,600.06	0.00
West Valley Int Med Assoc. Llc	1,178.00	260.00
Westside Urology, Ltd	200.00	0.00
<b>Grand Totals:</b>	<b>3,309,770.45</b>	<b>162,947.19</b>
Restitution	0.00	
<b>Totals Denials:</b>	<b>3,472,717.64</b>	

**WAIVER TO COMPENSATION PLAN**

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve a waiver of the Maricopa County Compensation Plan, Section VII.A, to allow a retroactive salary advancement for employee, Patsi Ponce, with an effective date of August 20, 2001, instead of October 15, 2001. On September 6, 2001 the Department of Medical Eligibility submitted a Personnel Action Form (PAF) for employee, Patsi Ponce to return her from Special Work Assignment (SWA) and to give her a market adjustment - salary advancement. DoME employees who were being returned from SWA were advised that the salary advancement submitted would reflect the same rate of pay as what they were receiving while on SWA. The salary advancement which was submitted for Ms. Ponce was submitted with an incorrect new pay rate of \$17.46, the correct rate of pay which was budgeted for this employee should have been \$17.82. This was brought to the attention of the Personnel/Payroll Liaison however, the correction was not completed and submitted accordingly prior to the DoME transition to the State. (C3902008M) (ADM3308)

**PERSONNEL AGENDA**

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the Personnel Agenda (Judicial Branch and Maricopa County). (List on file in the Clerk of the Board's Office.)

**CALL FOR BIDS AND AWARD-LAKE PLEASANT REGIONAL PARK SOUTH END IMPROVEMENTS**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the authorization to call for bids for the Lake Pleasant Regional Park South End Improvements construction and award a contract to the lowest responsible bidder if the bid does not exceed the engineer's estimate by more than 5%. The south end improvements includes construction of a group campground, RV dump station, four evapotranspiration beds ("et-beds"), water lines, sewer lines, power lines, and converting restrooms from a compost system to a septic system. The Lake Pleasant Regional Park replacement monies given to Parks and Recreation Department by the Bureau of Reclamation will fund these



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improvements. The Facilities Review Committee recommended approval of these improvements at their meeting on December 6, 2001. (C3002003001)

**USE MANAGEMENT AGREEMENT WITH KALIL BOTTLING COMPANY**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve and execute a Use Management Agreement with the Kalil Bottling Company to provide for the operation and maintenance of soft drink vending services for the Maricopa County Regional Park System. The term of this agreement is for one year and would become effective 30 days from the date of approval. This agreement has five annual renewal options. The approval of each annual renewal option would be subject to the Kalil Bottling Company providing satisfactory performance of the contract terms and conditions. In December of 1997 a Request-for-Proposal was solicited to vendors to provide soft drink machine vending services within County parks and recreation areas. Subsequently, the Maricopa County Board of Supervisors approved a use management agreement for the Pepsi Cola Bottling Company to provide that service. However, this agreement was only for one year and expired in February of 1999. Since that time, the Pepsi Cola Bottling Company has been providing this service on a month-to-month basis only. It was determined that a new RFP should be issued. As a result of the RFP, proposals were received from the Kalil Bottling Company and the Pepsi Cola Bottling Company. The proposal received from the Pepsi Cola Bottling Company was recommended for disqualification inasmuch as it proposed to impose a minimum sales requirement for each machine in order for the County to receive any commission revenue. This is in direct non-conformance with the specific requirements of the RFP. The commission rate listed in Kalil's proposal (\$1.20 on each case sold), while less than Pepsi, did not attempt to impose any minimum sales requirements. In addition, Kalil's operation plan indicates that they would service their machines on an "as needed" basis rather than on sales volume priority as proposed by the Pepsi Cola Bottling Company. (C30020401)

**FUND TRANSFERS**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve regular and routine fund transfers from the operating funds to clearing funds including payroll, work authorizations, journal entries, allocations, loans, and paid claims. Said claims having been recorded on microfiche retained in the Department of Finance in accordance with the Department of Library Archives and Public Records retention schedule, and incorporated herein by this reference.

**BID SERIALS**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following bid serial items. The action on the following items is subject to County Counsel's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

**Award of Bids:**

**01042-RFP      PERSONAL COMPUTER SERVER MAINTENANCE, SUPPORT AND RELATED SERVICES** (\$6,000,000 est./three years with two, one-year renewal options)  
Pricing agreement for Personal Computer, Server Maintenance Support and Related Services to be used on a County-wide basis.  
Sentinel Technologies

**01083-X      GIFT CERTIFICATES** (\$500,000 est./five years)

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Pricing agreement to purchase gift certificates for Human Resources for use in the Maricopa County Peak Performers Employee Incentives Program.

- . Bill Johnson's Big Apple Restaurants, Inc.
- . Harkins Reel Deals, LLC
- . Primo Promos

**01158-S PUMPING SERVICES: GREASE, LINT, CESSPOOL AND SUMP TRAP (\$300,000 est./three years with two, one-year renewal options)**

Pricing agreement to provide for scheduled and as needed pumping services. These services include removal, cleaning, and disposal of liquid and solid waste from traps, sand and oil interceptors, vehicle wash stations, flow-through tanks, cesspools and lift stations.

- . Pierce Pumping Service

**Extensions:**

**Extension of the following annual contract:** (Extensions are recommended with the concurrence of the using agency(s), satisfactory contract performance and after a market survey is performed.)

**Until February 28, 2003:**

**98204-SC VERTICAL TRANSPORTATION SERVICES (\$300,000 est./one year)**

Extension of pricing agreement to provide for the repair, maintenance and safety testing on elevators in County facilities as required by State and City regulations.

- . **Amtech Elevator Services**

Supervisor Brock asked if gift items referenced in # 01083-X were competitively bid. Wes Baysinger, Materials Management, replied that letters were sent to a list of vendors to find the interested businesses who are now participating in this program.

**SEYMOUR & COX v. MARICOPA COUNTY, ET AL., NO. CV 99-20935**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve settlement of Seymour and Cox v. Maricopa County, CV 99-20935 in the amount of \$800,000. (Discussed in Executive Session of January 14, 2002.) (C75020061) (ADM409)

**DONATIONS OF EQUIPMENT**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the following donations of two wall mount exam tables, two otoscopes with handle rechargers, two pet tubs with spray hoses and faucets from Animal Rescue Foundation, of Scottsdale valued at \$3,325.36. (C79020457) (ADM2300)

**DONATIONS**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the acceptance of donations made by citizens of Maricopa County through the Business Office of Animal Care & Control (AC&C) in the amount of \$1,513.50 for the month of October 2001. Additionally, approve an increase in Animal Care and Control's FY 2002 Agency 792, Fund 572 Revenue and

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Expenditure budgets in the amount of \$7,321.19, which includes donations through the license renewal process. (C79020467) (ADM2300)

**PURCHASE OF TOSHIBA TELEPHONE SYSTEM**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the purchase a new Toshiba telephone system for the Environmental Health Services Northern Regional office. Cost of this replacement system will be \$19,500. The phone system purchase is the planned replacement of a system which can no longer be supported with maintenance. Additionally, the existing system is too small to accommodate the number of staff based out of the Northern Regional office. (C88020248) (ADM2128)

**MEMORANDUM OF UNDERSTANDING ON AIR MONITORING STATION**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a memorandum of understanding between Maricopa County Environmental Services and Maricopa County Department of Transportation (McDOT). The agreement is to authorize Environmental Services or its agent to access across, build, and maintain an air monitoring station for one year on property owned by McDOT for an annual fee of \$500. Environmental Services will have the option to renew the agreement annually. McDOT's Property Management Department shall administer the leased area until such time as the agreement is terminated. (C88020291)

**AGREEMENT WITH RECREATION CENTERS OF SUN CITY**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an agreement between Maricopa County and the Recreation Centers of Sun City, Inc. The terms of the agreement will allow the use of the Bell Recreation Center, Social Hall No. 1 for the purpose of conducting a public hearing on an air pollution control pending permit No. 01-0117 for United Metro Materials, Inc. (a portable source). The meeting will be scheduled for Thursday, January 24, 2002. The time of the meeting will be from 1:00 P.M. to 4:00 P.M. in the West Hall. The rental fee is being waived by the Recreation Centers of Sun City, Inc. because this is a public hearing. (C88020310)

**AMENDMENT TO CONTRACT WITH PHOENIX INDIAN MEDICAL CENTER**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 1 to contract with the Phoenix Indian Medical Center to provide Well Women Health Check services to uninsured or underinsured women. The amendment subtracts \$38,015 in funding for the current contract term (January 1, 2001, to December 30, 2001), for a new contract dollar amount not-to-exceed \$9,965. All other terms and conditions remain unchanged. (C8601055101)

**LEASE ADJUSTMENT WITH FIRST STREET INVESTMENTS LIMITED PARTNERSHIP**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to rescind the approval given on November 19, 2001, of Lease No. L7314, with First Street Investments Limited Partnership, Lessor, for office space at 1 North 1<sup>st</sup> Street, Suite 200, Phoenix, that was intended for the Maricopa County Tobacco Prevention Program Office. Approve and execute an interim agreement for a month-to-month tenancy with First Street Investments Limited Partnership, Lessor, for 7,000 square feet of office space in Suite 700 at the same address. This month-to-month lease is for a six-month period commencing on the date of possession. It contains an option to reinstate the terms of the originally negotiated lease if assured funding is obtained. Rental cost for the interim lease period is \$8,750, plus

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rental tax per month. In addition, parking costs will be \$50, per month per space, as required. The full cost for a 6-month period will not exceed \$60,000, which can be absorbed in the existing budget for this activity. This lease contains a two-month termination notice period. Funding for this lease is provided through the Arizona State Department of Health Services Tobacco Education and Prevention Grant. No county funds will be used. (C8602043401)

**PALO VERDE EMERGENCY OPERATION PLAN**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the Maricopa County/State of Arizona, Palo Verde Emergency Operation Plan. The plan will be valid until superceded by an updated version. There is no cost to the County and no revenue will be generated. Intergovernmental Agreement with the State of Arizona will agree to adopt the plan. (C15010129) (ADM903)

Supervisor Brock said that Maricopa County has the three largest nuclear reactors on the continent and the County's Emergency Services Department is very diligent in monitoring what to do in case of an emergency.

**PROFESSIONAL SERVICE CONTRACTS FOR ENVIRONMENTAL CONSULTING SERVICES**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following professional service contracts to provide "as needed" environmental consulting services for two-year periods. The consultants will provide environmental planning, programming, estimating, design, and construction administration services for various County projects. Consultant fees for the two-year periods shall be \$250,000 or less, for each contract and are paid by budgeted Major Maintenance, Capital Improvement Program, or department funds.

- a) Four Corners Environmental, Inc. (C70020635)
- b) Liesch Southwest, Inc. (C70020645)
- c) Ninyo & Moore Geotechnical and Environmental Services Consultants (C70020655)
- d) SA&B Environmental & Chemical Consultants (C70020665)
- e) Terracon, Inc. (C70020675)

**PURCHASE OF PROPERTY OWNED BY SPRINT COMMUNICATIONS COMPANY LP**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the purchase of property owned by Sprint Communications Company L.P., for reconstruction of 5<sup>th</sup> Avenue East of the Jackson Street Garage for the negotiated cash sales price of \$22,015 (4,403 square feet @ \$5.00), in addition to escrow costs necessary for the acquisition of said property and authorize the Chairman of the Board of Supervisors to execute all necessary documents to complete the transaction. This project is funded in the FY 2001-2002 Capital Improvement Plan, Jackson Street Garage 1999030699. (C7002068B) (ADM811)

**SELECTION OF DESIGN-BUILD TEAM – MCSO TRAINING FACILITY**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize the Facilities Management Department (FMD) to complete the selection of a design-build team through the issuance of a Request for Proposal for the Capital Improvement Project entitled "MCSO Training Facility". Project No. 2000117080 is funded in FY 2001-2002 Five Year Capital Improvement Plan under Special Revenue – Detention funds and will be located at the Durango Complex near 35<sup>th</sup>

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Avenue, south of the current Animal Care and Control Service facility. After selection of the design-build team, FMD will submit the project for review to the Facilities Review Committee for final consideration before making a recommendation to the Board of Supervisors. The final recommendation will identify the apparent most advantageous design-build team selected on the basis of quality and price. The cost of this phase of the project selection process is six tenths of one percent of the final design and construction estimate; this amount will reduce to four tenths of one percent of the final design and construction estimate if the contract for the design-build project is awarded. (C70020695) (ADM800)

**RESOLUTION – REAL PROPERTY ACQUISITION BY DEDICATION, DONATION, PURCHASE OR UNDER THE POWER OF EMINENT DOMAIN - WITHDRAWN**

Adopt a resolution authorizing real property acquisition by dedication, donation, purchase or under the power of eminent domain for fee title to or any necessary interest, including any rights needed to conduct subsurface testing for archaeological and environmental purposes, on property located South of Jackson Street, between 9th Avenue and 13th Avenue, for purposes of facilitating construction of a Homeless Assistance Center (Project No. 2000120940) and other County structures, utilities, roads, parking structures and areas, and other improvements necessary for the full use of such facilities as a matter of public use and necessity and authorizing payment of relocation benefits. (C7002072B) (ADM2519)

**This item was withdrawn.**

**ADDITIONAL PAYMENT TO PINAL COUNTY ON DISPOSAL COST OF BURNED TIRES**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an additional payment of \$115,069 to Pinal County for Maricopa County's portion of disposal cost of burned tires. The disposal cost will be paid from the Solid Waste Funds. (This item continued from meeting of January 3, 2002.) (C6701003201) (ADM2024)

**EASEMENTS, RIGHT-OF-WAY DOCUMENTS**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors action. (ADM2007)

- |                  |  |
|------------------|--|
| A100.002<br>(AC) | Project No: 69010 - 87th Avenue (Williams Road - Pinnacle Peak Road) - Agreement for Right of Entry - Parcel No. 200-08-424B - Michael A. Johnson and Betty A. Johnson - for the sum of \$100.00.                                |
| A100.002<br>(AC) | Project No: 69010 - 87th Avenue - Peoria C/L (Williams Road - Pinnacle Peak Road) - Easement and Agreement for Highway Purposes - Parcel No. 200-08-424B - Michael A. Johnson and Betty A. Johnson – for the sum of \$32,320.00. |
| A100.002<br>(AC) | Project No: 69010 - 87th Avenue - Peoria C/L (Williams Road - Pinnacle Peak Road) Purchase Agreement and Escrow Instructions - Parcel No. 200-08-424B - Michael A. Johnson and Betty A. Johnson.                                 |
| A104.001<br>(AC) | Project No: 69010 - 177th Avenue (Durango Road - Yuma Road) - Easement and Agreement for Highway Purposes - Parcel No. 502-43-001N - Jeffrey P. Smith - for the sum of \$2,784.00.   |

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|--------------------------------|--|
| A104.001<br>(AC)               | Project No: 69010 - 177th Avenue (Durango Road - Yuma Road) - Purchase Agreement and Escrow Instructions – Parcel No. 502-43-001N - Jeffrey P. Smith.  |
| A104.008<br>(AC)               | Project No: 69010 - 177th Avenue (Durango Road - Yuma Road) – Agreement for Right of Entry - Parcel No. 502-43-001P - Gerald B. Turley - for the sum of \$100.00.  |
| A104.008<br>(AC)               | Project No: 69010 - 177th Avenue (Durango Road - Yuma Road) - Easement and Agreement for Highway Purposes - Parcel No. 502-43-001P – Gerald B. Turley - for the sum of \$5,790.00.   |
| A104.008<br>(AC)               | Project No: 69010 - 177th Avenue (Durango Road – Yuma Road) – Purchase Agreement and Escrow Instructions - Parcel No. 502-43-001P - Gerald B. Turley.  |
| A115.011, 012<br>& 013<br>(AC) | Project No: 69010 – Telegram Path Road (Airport Road to Tuthill Road) - Agreement for Right of Entry - Parcel No. 400-52-016S - Juan Hernandez and Delfina Hernandez - for the sum of \$100.00.  |
| A115.011, 012<br>& 013<br>(AC) | Project No: 69010 – Telegram Path Road (Airport Road – Tuthill Road) - Easement and Agreement for Highway Purposes - Parcel No. 400-52-016S – Juan Hernandez and Delfina Hernandez - for the sum of \$7,438.00.                        |
| A115.011, 012<br>& 013<br>(AC) | Project No: 69010 – Telegram Path Road (Airport Road – Tuthill Road) - Purchase Agreement and Escrow Instructions - Parcel No. 400-52-016S – Juan Hernandez and Delfina Hernandez.   |
| A118.002 &<br>A118.003<br>(AC) | Project No: 69010 - 133rd Avenue (South Mountain Avenue - Indian Springs Road) - Easement and Agreement for Highway Purposes - Parcel No. 400-01-020C & 020D - Ray L. McMahan, Dale Payne and Laura Payne - for the sum of \$6,296.00. |
| A118.002 &<br>A118.003<br>(AC) | Project No: 69010 - 133rd Avenue (South Mountain Avenue - Indian Springs Road) - Purchase Agreement and Escrow Instructions - Parcel No. 400-01-020C & 020D - Ray L. McMahan, Dale Payne and Laura Payne.                              |
| A123.003<br>(AC)               | Project No: 69010 - 47th Avenue (Estrella Drive - Gumina Avenue) - Agreement for Right of Entry - Parcel No. 300-08-02Q – Pete H. Hicks - for the sum of \$100.00  |
| A123.004<br>(AC)               | Project No: 69010 - 47th Avenue (Estrella Drive - Gumina Avenue) - Agreement for Right of Entry - Parcel No. 300-08-02P - Victoria Garcia and Richard Garcia - for the sum of \$100.00.  |
| A123.004<br>(AC)               | Project No: 69010 - 47th Avenue (Estrella Drive - Gumina Avenue) - Easement and Agreement for Highway Purposes - Parcel No. 300-08-02P - Victoria Garcia and Richard Garcia - for the sum of \$530.00.                                 |
| A123.004<br>(AC)               | Project No: 69010 - 47 <sup>th</sup> Avenue (Estrella Drive – Gumina Avenue) - Purchase Agreement and Escrow Instructions – Parcel No. 300-08-02P - Victoria Garcia and Richard Garcia.  |
| A123.005<br>(AC)               | Project No: 69010 - 47th Avenue (Estrella Drive - Gumina Avenue) - Agreement for Right of Entry - Parcel No. 300-08-02N - Larry C. Young and Katherine M. Young - for  |

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the sum of \$100.00.

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|-----------------------------|--|
| A123.005<br>(AC)            | Project No: 69010 - 47th Avenue (Estrella Drive - Gumina Avenue) - Easement and Agreement for Highway Purposes - Parcel No. 300-08-02N - Larry C. Young and Katherine M. Young - for the sum of \$530.00.        |
| A123.005<br>(AC)            | Project No: 69010 - 47 <sup>th</sup> Avenue (Estrella Drive – Gumina Avenue) - Purchase Agreement and Escrow Instructions - Parcel No. 300-08-02N - Larry C. Young and Katherine M. Young.                       |
| A139.006<br>(AC)            | Project No: 69010 - 12th Street (Cloud Road - Joy Ranch Road) - Easement and Agreement for Highway Purposes - Parcel No. 211-68-098 – Robert A. McClelland and Elaine C. McClelland - for the sum of \$5,832.00. |
| A139.006<br>(AC)            | Project No: 69010 - 12th Street (Cloud Road - Joy Ranch Road) - Purchase Agreement and Escrow Instructions – Parcel No. 211-68-098 - Robert A. McClelland and Elaine C. McClelland.                              |
| A139.007<br>(AC)            | Project No: 69010 - 12th Street (Cloud Road - Joy Ranch Road) - Easement and Agreement for Highway Purposes - Parcel No. 211-68-054L - Roger S. Barkin, and Mark R. Gerber - for the sum of \$9,468.00.          |
| A139.007<br>(AC)            | Project No: 69010 - 12th Street (Cloud Road - Joy Ranch Road) - Purchase Agreement and Escrow Instructions - Parcel No. 211-68-054L - Roger S. Barkin, and Mark R. Gerber.                                       |
| A208.003<br>(TS)            | Project No: 69010 – Melody Drive (172nd Street to Recker Road) - Easement and Agreement for Highway Purposes - Parcel No. 304-07-019J – Kevin D. Dewitt and Chae S. Dewitt - for the sum of \$9,500.00.          |
| A208.003<br>(TS)            | Project No: 69010 - Melody Drive (172nd Street to Recker Road) - Purchase Agreement and Escrow Instructions – Parcel No. 304-07-019J - Kevin D. Dewitt and Chae S. Dewitt.                                       |
| R/W No. 16-<br>106354       | Project No: 69010 - Lake Pleasant Road (Deer Valley Road to Williams Road) - Right-of-Way - R/W No. 16-106354 - State Land Department State of Arizona.  |
| X-0914 &<br>X-0927<br>(LS)  | Project No: 68960 - MC 85 (Cotton Lane to Estrella Parkway) – Right-of-Entry Letter - Parcel No. 502-49-020K & 020F - Newell Rubbermaid, Inc. – for the sum of \$100.00.   |
| X-1051<br>(DM)              | Project No: 68965 - 303 Loop (McDowell Road to Thomas Road) - Agreement for Right of Entry - Parcel No. 501-01-01E, 500-05-013A - Suncor Development Company - for the sum of \$1.00.                            |
| X-1202 &<br>X-1206<br>(DWM) | Project No: 68976 – Power Road Bridge @ Queen Creek Wash - Warranty Deed - Parcel No. 304-68-012D, 304-68-012G, 304-61-024G, 024D – Sossaman Estates, L.L.C. - for the sum of \$21,430.00.                       |
| X-1202 &<br>X-1206          | Project No: 68976 - Power Road Bridge @ Queen Creek Wash – Purchase Agreement and Escrow Instructions – Parcel No. 304-68-012D, 304-68-012G, 304-61-024G, 024D -   |

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(DWM) Sossaman Estates, L.L.C.

X-1202-1 & Project No: 68976 – Power Road Bridge @ Queen Creek Wash - Temporary  
X-1206-1 Construction Easement and Agreement for Highway Purposes - Parcel No. 304-68-  
(DWM) 012D, 304-68-012G, 304-61-024G, 024D - Sossaman Estates, L.L.C. - for the sum of  
\$6,985.00.

Z1-0433-A Project No: 68914 – Baseline Road (51st Avenue to 7th Avenue) - Warranty Deed -  
(LS) Parcel No. 104-90-004 – Christopher A. Lines, Ruskin R. Lines, Jr., Paul A. Lines and  
Cynthia D. Lines - for the sum of \$41,104.00.

Z1-0433-A Project No: 68914 – Baseline Road (51st Avenue to 7th Avenue) - Purchase Agreement  
(LS) and Escrow Instructions – Parcel No. 104-90-004 – Christopher A. Lines, Ruskin R.  
Lines, Jr., Paul A. Lines and Cynthia D. Lines.

**TRAFFIC CONTROLS**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following traffic controls: (F22999)

All traffic to stop before entering or crossing a THROUGH STREET within the prescribed limits of Missouri Avenue from 100 feet east of Dysart Road to 100 feet west of 127<sup>th</sup> Avenue. (C64021460)

A FOUR-WAY STOP (from a two-way stop) at Camelback Road and Sarival Avenue. (C64021535)

A FOUR-WAY STOP (from a two-way stop north/south stop) at Riggs Road and Sossaman Road. (This partially rescinds the through street resolution on Riggs Road dated May 6, 1974.) (C64021555)

A FOUR-WAY STOP (from a two-way north/south stop) at Van Buren Street and Sarival Avenue. (This partially rescinds the through highway resolution on Van Buren Street dated August 21, 1956.) (C64021565)

A FOUR-WAY STOP (from a two-way east/west stop) at Queen Creek Road and Higley Road. (This partially rescinds the through street resolution on Higley Road dated May 19, 1964.) (C64021585)

A FOUR-WAY STOP (from a two-way north/south stop) at Ocotillo Road and Basha Road. (This partially rescinds the through street resolution on Ocotillo Road dated December 31, 1973.) (C64021595)

**CHANGE ORDER TO CONTRACT WITH COMBS CONSTRUCTION COMPANY, INC.**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Change Order No. 1, to Contract No. CY 2002-03 with Combs Construction Company, Inc. in the amount \$10,000, for signal implementation to Loop 303 and Indian School Road. This change order will increase the total contract amount from \$396,488.75 to a revised contract amount of \$406,488.75; under work order number 69030. This change order is for Phase I of the project, which consists of installing signal



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poles per the design, instead of having full signalization, advance warning flashers will be installed. In Phase II full signalization will be implemented. (C6401308502)

**SOLE SOURCE PROCUREMENT WITH TRW, INC.**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve sole source procurement with TRW, Inc., to secure maintenance services for a period of up to three years and not-to-exceed \$250,000 per year contract for the required professional services to TRW, Inc., for the current AZTech™ System Software (referred to as "Toolbox"). AZTech™ is part of MCDOT's ITS Traffic Management Work Activity in the Managing for Results Strategic Plan. (C64021325)

**CALL FOR BIDS AND AWARD ON INTERSECTION IMPROVEMENTS, PHASE 1**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the solicitation of bids for Signal System Modernization – Intersection Improvements, Phase 1, Work Order Number 69033; and approve the award of a contract to the lowest responsive bidder, providing the lowest responsive bid does not exceed the engineer's estimate by more than 10%. (C64021445)

**RIGHT-OF-WAY RESERVATION OF FUTURE WATERLINE FOR CITY OF SCOTTSDALE**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve a right-of-way reservation of future waterline for the City of Scottsdale. The location of the future waterline is in the vicinity of Harquahala Valley and Salome Highway. The City of Scottsdale has requested a right-of-way reservation for a future waterline to insure an adequate water supply for their residents. Scottsdale anticipates a future need for water from the Harquahala Valley and the Arizona Department of Water Resources requires the City obtain the necessary rights to deliver this water. Scottsdale proposes to deliver through the waterline system along the referenced rights-of-way to the CAP and then delivering the water to Scottsdale citizens. (C6402151C) (ADM2007)

**MARICOPA INTEGRATED HEALTH SYSTEMS PERSONNEL AGENDA**

Motion was made by Supervisor Brewer, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve Maricopa Integrated Health Systems Personnel Agenda. (List on file in the Clerk of the Board's Office.)

**AMENDMENT TO CONTRACT WITH UNITED HEALTHCARE SERVICES, INC., dba EVERCARE**

Motion was made by Supervisor Brewer, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve Amendment No. 1 to the contract with United HealthCare Services, Inc., dba Evercare, effective January 1, 2002, to extend the contract by three months through March 31, 2002, making the term January 18, 2000, through March 31, 2002, and add \$10,000,000 increasing the not-to-exceed amount to \$40,631,845. Payment remains 92.5% of capitation payments MSSP receives from The Centers for Medicare and Medicaid Services (CMS). There is a 90-day termination for convenience provision. This contract provides management of all medical care and bears full financial risk for medical services, except for pharmacy, for Maricopa Senior Select Plan members who resided in nursing facilities and who selected EverCare as their medical provider. (C6002095101) (C60002021)

**PURCHASE OF EMERGENCY CARE EQUIPMENT FOR MARICOPA MEDICAL CENTER BURN UNIT AND PEDIATRIC EMERGENCY DEPARTMENT**

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Motion was made by Supervisor Brewer, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the purchase of emergency care equipment for the Maricopa Medical Center Burn Unit and Pediatric Emergency Department in the amount of \$885,966. The funding for the equipment is from the U.S. Public Health Service, Department of Health and Human Services, Health Resources and Services Administration Grant No. 1C76HF00156-01 approved by the Board on September 5, 2001, as C90020273. (C90020791)

**REAPPOINT ABE HARRIS TO THE PLANNING AND ZONING COMMISSION**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to reappoint Abe Harris to the Planning and Zoning Commission, representing District 5. The term of re-appointment will be from January 16, 2002, through October 31, 2005. (C05020057) (ADM3408)

**HEARING SET - ROAD FILE DECLARATIONS**

Petitions having been filed for declaration of the following roads into the County highway system, motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to schedule hearings for 9:00 a.m., Wednesday, February 20, 2002:

**Road File A049:** Within general vicinity of Billings Street from 83<sup>rd</sup> Place to 84<sup>th</sup> Street. (C64021575) (F23001)

**Road File A164:** Within general vicinity of Hermosa Vista Drive from 76<sup>th</sup> Street to 78<sup>th</sup> Street. (C64021475) (F23002)

**Road File 4681-2:** Within general vicinity of Elliot Road from 35<sup>th</sup> Avenue to 27<sup>th</sup> Avenue. (C64021485) (F23003)

**MINUTES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve minutes of the Board of Supervisors meeting held November 27, and December 17, 2001.

**PRECINCT COMMITTEEMEN**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried to authorize the appointment of precinct committeemen to fill vacancies in various precincts, pursuant to A.R.S. § 16-231.B, and removal of precinct committeemen due to disqualification in accordance with lists dated January 16, 2001, as submitted by the Elections Director, and on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with the Department of Library Archives, and Public Records retention schedule. (ADM1701)

**SECURED TAX ROLLS**

No tax roll corrections were presented at this time. (ADM705)

**NOTICE OF MERGER OF THE FOUNTAIN HILLS VOLUNTEER FIRE DISTRICT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to acknowledge receipt of the Notice of Merger of the Fountain Hills Volunteer Fire District into the Town of Fountain Hills, Arizona, dated December 3, 2001. (ADM4421)

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**CANVASS OF ELECTIONS SUBMITTED BY SPECIAL DISTRICTS**

Pursuant to A.R.S. §16-642(B), motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried to accept the canvasses of elections submitted by special districts listed below, and on file in the Office of the Clerk of the Board.

Adaman IWDD No. 35 (ADM4373)  
Chandler Heights Citrus Irrigation District (ADM4314)  
Fountain Hills Sanitary District (ADM4442)  
Harquahala Valley Irrigation District (ADM4329)  
Harquahala Valley Power District (ADM4477)  
McMicken Irrigation District (ADM4316)  
New Magma Irrigation & Drainage District (ADM4330)  
Queen Creek Irrigation District (ADM4318)  
Roosevelt Irrigation District (ADM43219)  
Roosevelt Water Conservation District (ADM4397)  
San Tan Irrigation District (ADM4321)  
Sunburst Farms Irrigation District (ADM4326)  
Tonopah Irrigation District (ADM4327)  
Western Meadows Irrigation District (ADM4326)  
Woolsey Flood Protection District (ADM1914)

**ADOPT CERTIFIED TAX ROLL FOR 2002**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to adopt the Certified Tax Roll for 2002, in accordance with A.R.S. §42-15153. The total estimated full cash value for all property is \$194,485,978,918; the total full cash value for locally assessed property is \$175,548,879,646; the total estimated full cash value for secured personal property is \$1,943,444,514; the total estimated full cash value for unsecured personal property is \$6,272,824,271; and the total full cash value for centrally valued property is \$10,720,830,487, representing the complete real property assessment roll of Maricopa County. (ADM703)

**DUPLICATE WARRANTS**

Necessary affidavits having been filed, pursuant to A.R.S. §11-632, motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the request for duplicate warrants be issued to replace county warrants and school warrants which were either lost or stolen. (ADM1823) (ADM3809)

**COUNTY**

<b>Name</b>	<b>Warrant</b>	<b>Fund</b>	<b>Amount</b>
Apache Lake & Marina	320509696	Expense	\$270.04
Justine Gerstel	024806	Payroll	\$772.45
Alex D. Gonzalez	AD00320525497	Expense	\$5,195.00
Kathryn Lucille Hall	620047989	Reimb.Mileage/Jury Fee	\$803.82
John Hamilton	12-195067	779	\$1,366.02
Cruzita V. Mendoza	12-0195504	779	\$705.08
Julia Thompson	0028151	General	\$315.71

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Ronald James Raposa	620048716	Reimb.Mileage/Jury Fee	\$122.52
D.Viterito/Phillips&Associates	AD00320524361	Expense	\$1,030.50

**SCHOOL**

<b>Name</b>	<b>School</b>	<b>Warrant</b>	<b>Amount</b>
Lester Branum	Mesa	72-0032989	\$681.72
Maria Carrasco	Roosevelt	1274503	\$382.44
Great Az Puppet Theatre	Cave Creek #93	410139260	\$375.00
Mark Houch	Mesa	72-0032421	\$803.82
Shirley A. Houser	Aqua Fria	12-72529	\$207.79
Martha De Hoyos	Mesa	72-0032844	\$482.12
Richard W. Kiehn	Mesa	72-0032934	\$76.59
Rosemary Lewis	Supt. of Schools	12-75255	\$509.56
Paulita Macias	Mesa	72-0032510	\$82.26
James J. Mireles	Mesa	72-0032574	\$504.25
Elena Moreno	Mesa	72-0033988	\$402.88
Georgia Nelson	Roosevelt #66	12-74681	\$555.81
Georgia Nelson	Roosevelt #66	12-74569	\$1,283.03
Lisa K. Nelson	Mesa	72-0033989	\$261.25
Steven Pennington	Mesa	72-0032951	\$358.86
Maria Elena Reyes	Mesa	72-0031530	\$380.01
Vanessa L. Romero	Mesa	72-0032683	\$68.01
Howard Keith Shahan	Mesa	72-0031584	\$1,242.89
Kathrine L. Tucker	Higley Unified #60	12-74017	\$665.59
Rep./Variable Annuity Life	Phoenix	41-0111042	\$21,246.48
Jess Larkin Wisto	Mesa	72-0031564	\$51.00
Jana Woodward	Cave Creek #93	420067783	\$205.79
Reta Dodd Yanik	Mesa	72-0033971	\$919.32

**STALE DATED WARRANTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to find that claims presented pursuant to A.R.S. §11-644 are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (ADM1816)

Security Title Agency	\$ 299.83	First Aid Specialists	\$ 452.00
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**SETTLEMENT OF TAX CASES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the settlement of tax cases, list dated January 16, 2002. (ADM704)

**1999/2000**

ST 01-000056

**2001**

ST 00-000309

TX 01-000254

TX 00-000284

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**2001/2002**

TX 00-000235

**2002**

TX 01-000135

TX 01-000149

**PUBLIC HEARING - PLANNING AND ZONING CASES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to schedule public hearings on the following zoning cases for February 6, 2002 at 9:00 a.m. in the Board of Supervisors' Auditorium.

Z2000-050; Z2001-034; Z2001-062; Z2001-119; Z2001-147

**CLASSIFICATION CHANGES**

Pursuant to A. R. S. §42-12054, Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the Assessor's recommendation to change classification and/or reduce the valuation of certain properties which are now owner occupied. (ADM723)

<b>PARCEL NUMBER</b>	<b>YEAR</b>	<b>OWNER</b>	<b>FROM</b>	<b>TO</b>
110-30-011	2001	Brent G Crosby	LC/4	LC/3
110-30-011	2000	Brent G Crosby	LC/4	LC/3
110-30-011	1999	Brent G Crosby	LC/6	LC/5
117-27-074	2001	Scott, James	LC/4	LC/3
117-27-074	2000	Scott, James	LC/4	LC/3
117-27-074	1999	Scott, James	LC/6	LC/5
118-52-028A	2001	Pittman Liv Tr	LC/3	LC/6
162-19-174	2001	Bennett, Greg	LC/3	LC/6
162-19-177	2001	Bennett, Greg	LC/3	LC/6
301-52-910	2001	Brian Luscher	LC/4	LC/3

**ADDENDUM**

**GRANT FUNDS FROM THE GOVERNOR'S COMMUNITY POLICY OFFICE**

Motion was made by Supervisor Brewer, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve receipt of additional grant funds from the Governor's Community Policy Office, Division for the Prevention of Family Violence, in the amount of \$3,447. These funds will support one FTE Advocate's salary and benefits. The additional grant funds will be for the period of February 4, 2002, and terminate on May 12, 2002. The grant funds may not be expended for any indirect costs for administration in connection with funds. By approving this agenda item, a budget amendment will increase the County Attorney's revenue and expenditure level for FY 2001-2002 by \$3,447. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S §42-17105. (C1900078301)

**SETTLEMENT - KNAPP V. MARICOPA COUNTY**

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Motion was made by Supervisor Brewer, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the settlement of Knapp v. Maricopa County, CV 00-01820, in the amount of \$970,000. (Discussed in Executive Session on December 3, 2001.) (C75020071) (ADM409)

**REAPPOINT SAL DICICCIO TO THE PLANNING AND ZONING COMMISSION**

Motion was made by Supervisor Brewer, seconded by Supervisor Wilcox, and unanimously carried (5-0) to reappoint Sal DiCiccio to the Planning and Zoning Commission, representing District 1. The term of the reappointment will be from the date of Board approval through December 17, 2005. (C01020047) (ADM3408)

**REAPPOINT DR. SATEESH J. NABAR TO THE MARICOPA COUNTY BUILDING CODE ADVISORY BOARD**

Motion was made by Supervisor Brewer, seconded by Supervisor Wilcox, and unanimously carried (5-0) to reappoint Dr. Sateesh J. Nabar to the Maricopa County Building Code Advisory Board as one of two licensed engineers on the Building Code Advisory Board. The term of the re-appointment will be from April 1, 2002, through March 30, 2006. (C02020097) (ADM3414)

**SPECIAL DISTRICT ANNUAL REPORT PROCESSING**

Motion was made by Supervisor Brewer, seconded by Supervisor Wilcox, and unanimously carried (5-0) to direct the Clerk of the Board of Supervisors to take the following actions: (ADM4300)

- 1) Prepare a report as outlined in ARS §48-251 regarding special district's annual reports and authorize the Clerk of the Board of Supervisors to submit the report to the president of the senate, the speaker of the house of representatives and the governor.
- 2) Notify each district not in compliance with the reporting requirement to comply within thirty days after receipt of notice by certified mail and inform the districts of the civil penalties to be imposed if the district fails to comply.
- 3) Assess penalties pursuant to ARS §48-251(G) to be collected by the County Treasurer and deposited in the county general fund.

**CERTIFICATION OF BOUNDARY CHANGE IMPACT STATEMENT REQUESTING ANNEXATION OF PROPERTY TO THE SUN LAKES FIRE DISTRICT**

Motion was made by Supervisor Brewer, seconded by Supervisor Wilcox, and unanimously carried (5-0) to receive Certifications issued by the County Recorder and County Assessor pursuant to A.R.S. §§48-262(B), 48-265 and 48-266, and determine as valid the names and signatures submitted by the Sun Lakes Fire District pursuant to its Boundary Change Impact Statement and petitions transmitted to Maricopa County requesting annexation of subject property to the District.

**PUBLIC COMMENT**

There was no public comment at this time.(ADM605)

**SUPERVISORS' COMMENTS**

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Supervisor Brock remarked that Bank One Ballpark has been gainfully used during the off-season by scheduling various onsite public events, including the following: (ADM606)

- International Pool & Spa Expo on November 28, 29, 30, 2001 with over 20,000 attendees.
- Insight.com.bowl on December 29, 2001 with over 40,000 spectators.
- Fiesta Bowl National Band Championship on December 30, 2001 with 16 bands competing.
- U.S. Hot Rod Monster Jam on January 12, 2002 with over 35,000 participating.
- EA Sports Supercross Event on January 26, 2002
- International Soccer Match on February 13, 2002

Supervisor Brock said that all of these events would have a major impact on Phoenix's economy, especially on hotels, and food and beverage businesses in the downtown area. He felt that it is important to keep the public informed of the various ways that the ballpark has benefited the quality of life in the Valley.

**PLANNING AND DEVELOPMENT**

David Smith and Paul Golab left the dais at the end of the regular portion of the Board meeting. Members, as given above, remained in session. Lynn Favour, Acting Director of Planning and Development, Darren Gerard, Chief Planner, and David Benton, County Counsel for Planning, came forward to present the following Planning and Zoning cases.

**CONSENT AGENDA DETAIL:**

1.     **S2000-094     District 4**  
       **Applicant:**   Coe & Van Loo Consultants, Inc.  
       **Location:**   Northwest corner of Camelback Road and El Mirage Road (in the west Glendale/Litchfield Park area)  
       **Request:**     Final Plat in the R1-6 R.U.P.D. and R1-7 R.U.P.D. zoning districts for Wigwam Creek North, Phase 1 (approximately 93.26 gross acres)

Motion was made by Supervisor Brewer, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve this final plat.

**REGULAR AGENDA DETAIL:**

2.     **Z2001-163     District 4** (This case requires a 4/5 majority vote to approve due to request for emergency vesting.)  
       **Applicant:**   Desert Gardens II  
       **Location:**   Southwest of the southwest corner of 135th Avenue and Glendale Avenue (in the west Glendale area)  
       **Request:**     Special Use Permit for a wastewater treatment plant in the R-5 zoning district and the Airport Overlay Zone 4

**COMMISSION ACTION:** Commissioner Clayburg moved to recommend approval of Z2001-163, subject to the following stipulations "a" through "q". Commissioner Beckley seconded the motion, which passed with a unanimous vote of 8-0.

- a.     Development of the site shall comply with the site plan entitled "Site Plan – Desert Gardens II Apartments" consisting of two full-size sheets, dated November 30, 2001 and stamped received December 3, 2001, except as modified by the following stipulations.

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- b. Development of the site shall comply with the narrative report entitled "Narrative Report – Special Use Permit Application Case # Z2001163 for Property Commonly Known as Desert Gardens II", consisting of 15 pages, dated November 19, 2001, and stamped received December 3, 2001, except as modified by the following stipulations.
- c. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- d. All above-ground equipment for the wastewater treatment plant shall be screened by a six-foot tall decorative screen wall, and shall not exceed the height of the wall.
- e. The applicant shall install at least 16 desert willow trees as indicated on the site plan referenced in stipulation 'a' above. The trees shall be a minimum 15-gallon size when installed, and shall be double-staked when installed. Landscaping shall be maintained as long as the Special Use Permit remains in effect.
- f. The applicant shall submit a written report outlining the status of the development at the end of five years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- g. This Special Use Permit shall expire 25 years from the date of approval by the Board of Supervisors, or upon termination of the use, whichever occurs first. All of the site improvements, shall be removed within 90 days of such termination or expiration.
- h. The applicant shall participate in any future regional wastewater collection and treatment system upon availability after a period of at least ten years. Once tapped-into the regional system, the Special Use Permit shall terminate as indicated in stipulation 'g' above.
- i. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- j. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department. Minor changes may include site plan modifications within the walled compound.
- k. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.
- l. Prior to zoning clearance for building permit, the applicant shall conduct soils testing to determine the ability of the soils beneath the land surface in the intended wastewater



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disposal area to adequately and safely dispose of wastewater at the maximum daily proposed design flow rate of the wastewater treatment facility.

- m. To reduce the potential of wastewater pooling on the land surface and reduce the impact to public health from the wastewater should it surface upon the land; the design of the wastewater treatment system shall include tertiary stage filtration prior to disinfection and disposal of wastewater in the intended disposal area.
- n. Prior to zoning clearance for building permit, the applicant shall submit and have accepted a complete application (including the results of soils testing) for pre-construction approval of the design of the sewage treatment system and the wastewater disposal system, to and by the Maricopa County Environmental Services Department prior to the granting of construction permits for the apartment units to be serviced by the treatment and disposal system.
- o. No dwelling units to be served by the facility shall be occupied prior to construction of the facility and acceptance of the facility by the Maricopa County Environmental Services Department.
- p. Prior to drainage clearance for building permit, a drainage report shall be submitted for approval of the Flood Control District.
- q. Odor and noise shall be mitigated.

Lynn Favour, Assistant Director of Planning and Development, gave background information on this project. She said that for the present, the only viable option available for a sewer hook-up connection to serve the development is this proposed wastewater treatment plant. The proposed facility will be subject to additional health and safety reviews that are done on a regional basis. Additional stipulations have been added by staff to protect the public health. She indicated that emergency vesting is requested which will require a 4/5 majority vote. There is no known opposition or support. Staff and the Planning Commission recommend approval subject to stipulations "a" through "q."

Chairman Stapley introduced Speaker of the House, Jim Weiers, who was present to address the Board in support of this project.

Speaker Weiers said he had been involved in this project for the past nine months and has experienced, first-hand, the difficulties often found in government processes. He said his primary interest in this is to make sure that good government helps good people. He stated that this is a good project that would mean a lot to the area. He explained that the emergency vesting had to be requested as a result of its being "hung-up within the bureaucratic bowels of government for so long that, at this point, financing is very close to going away." He added, "If financing goes away the project does not proceed. If the project does not proceed a lot of people lose money and of course the County loses an opportunity to have development."

Chairman Stapley said he believed all the Supervisors were aware of and understood the case and realized the difficulties Supervisor Brewer had worked through to bring it to this point.

Supervisor Kunasek asked staff about an anticipated future hook-up to a regional wastewater collection system and whether this was close to the Glendale or other municipal system.

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Ms. Favour responded that there is no other available service to this site. The applicant applied to LPSCO but they were not willing to provide service to the area. It has been stipulated that, "The applicant shall participate in any future regional wastewater collection and treatment system upon availability after a period of at least ten years." She indicated that the special use permit would terminate at that point.

Supervisor Brewer said this had been a very complicated and somewhat controversial issue on which a lot of time and energy had been expended by many different people and for which she thanked them all. She indicated that the facility was absolutely essential and asked for support for the emergency vesting so it could move forward expeditiously.

Motion was made by Supervisor Brewer and seconded by Supervisor Brock to concur with the Planning Commission recommendation for approval with staff-revised stipulations "a" through "q" as given below.

Chairman Stapley thanked Speaker Weiers for coming to offer his support of this request and remarked on the leadership he has demonstrated at the Legislature. He explained that the Speaker has affirmed himself as a friend of Maricopa County more than once and had been very supportive in working for the new hospital district and other important issues on behalf of the County and his efforts were appreciated by the Board.

A roll call vote was taken for 24-hour emergency vesting purposes on the above motion, with Supervisors Kunasek, Brock, Brewer, Wilcox and Stapley voting "aye" to carry the motion unanimously (5-0).

- a. Development of the site shall comply with the site plan entitled "Site Plan - Desert Gardens II Apartments" consisting of two full-size sheets, dated November 30, 2001 and stamped received December 3, 2001, except as modified by the following stipulations.
- b. Development of the site shall comply with the narrative report entitled "Narrative Report - Special Use Permit Application Case # Z2001163 for Property Commonly Known as Desert Gardens II", consisting of 15 pages, dated revised January 11, 2001, and stamped received January 15, 2002, except as modified by the following stipulations.
- c. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- d. All above-ground equipment for the wastewater treatment plant shall be screened by a six-foot tall decorative screen wall, and shall not exceed the height of the wall.
- e. The applicant shall install at least 16 desert willow trees as indicated on the site plan referenced in stipulation 'a' above. The trees shall be a minimum 15-gallon size when installed, and shall be double-staked when installed. Landscaping shall be maintained as long as the Special Use Permit remains in effect.
- f. The applicant shall submit a written report outlining the status of the development at the end of five years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- g. This Special Use Permit shall expire 25 years from the date of approval by the Board of Supervisors, or upon termination of the use, whichever occurs first.

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- h. The applicant shall participate in any future regional wastewater collection and treatment system upon availability, after a period of at least ten years. Once tapped-into the regional system, the Special Use Permit shall terminate as indicated in stipulation 'g' above.
- i. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- j. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department. Minor changes may include site plan modification within the walled compound.
- k. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.
- l. Prior to zoning clearance for building permit for the apartment units or the sewage treatment facility, the applicant shall conduct soils testing to determine the ability of the soils beneath the land surface in the intended wastewater disposal area to adequately and safely dispose of wastewater at the maximum daily proposed design flow rate of the wastewater treatment facility.
- m. To reduce the potential of wastewater pooling on the land surface and reduce the impact to public health from the wastewater should it surface upon the land; the design of the wastewater treatment system shall include tertiary stage filtration prior to disinfection and disposal of wastewater in the intended disposal area.
- n. Prior to zoning clearance for building permits for the apartment units or the sewage treatment facility, the applicant shall submit and have accepted by the Maricopa County Environmental Services Department, a complete application (including the results of soils testing) for approval of the design of the sewage treatment system and the wastewater disposal system.
- o. No dwelling units to be served by the facility shall be occupied prior to construction of the facility and acceptance of the facility by the Maricopa County Environmental Services Department.
- p. Prior to drainage clearance for building permit, a drainage report shall be submitted for approval to the Flood Control District.
- q. Odor and noise shall be mitigated.

**MEETING ADJOURNED**

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There being no further business to come before the Board, the meeting was adjourned.

\_\_\_\_\_  
Don Stapley, Chairman of the Board

ATTEST:

\_\_\_\_\_  
Fran McCarroll, Clerk of the Board